

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

FILED
2012 MAY 29 AM 10:37
CLERK US DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY IR
DEPUTY

DR. MARY LOUISE SERAFINE, §
PLAINTIFF, §

V. §

CAUSE NO. A-11-CV-1018-LY

TIM F. BRANAMAN, CHAIRMAN, §
TEXAS STATE BOARD OF §
EXAMINERS OF PSYCHOLOGISTS, §
IN HIS OFFICIAL CAPACITY, AND §
SHERRY L. LEE, EXECUTIVE §
DIRECTOR, TEXAS STATE BOARD OF §
EXAMINERS OF PSYCHOLOGISTS, IN §
HER OFFICIAL CAPACITY, §
DEFENDANTS. §

ORDER

Before the court in the above-styled cause of action is the parties Joint Motion to Vacate Order and Stay All Pre-Trial Deadlines, filed May 24, 2012 (Clerk's Doc. No. 41). Plaintiff filed her complaint on November 29, 2011, and Defendants filed their motion to dismiss on December 28, 2011. This court's local rules require that the parties submit a proposed scheduling order to the court no later than 60 days after any appearance of any defendant. *See* W.D. Tex. Loc. R. CV-16(c). To date, no scheduling order has been submitted to the court. On May 11, 2012, this court ordered the parties to file a proposed scheduling order with the court on or before May 29, 2012. The parties request the court vacate this order and stay all pretrial deadlines due to the pending motion to dismiss.

This court receives dispositive motions in nearly all of the civil cases on its docket. The fact that a motion to dismiss may alter the outcome of litigation does not entitle the parties to be exempt from this court's local rules and need to calendar cases for a trial month. If the parties desire to delay

discovery pending the resolution of the motion to dismiss, the court suggests they include proposed pretrial deadlines in their scheduling order reflecting their agreement to do so. Accordingly,

IT IS HEREBY ORDERED that Joint Motion to Vacate Order and Stay All Pre-Trial Deadlines (Clerk's Doc. No. 41) is **DENIED**.

SIGNED this 29th day of May, 2012.



LEE YEAKEL
UNITED STATES DISTRICT JUDGE